Table 16: Court Recommendations to Others

Mandatory Minimum Sentences

Sentencing Guidelines

Impact of New Legislation

Changes in the Federal Rules of Procedure

The Circuits or Other Courts

Other Recommendations

District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure	The Circuit or Other Courts	Other Recommendations
M.D. Ala.	IA	IA	IA	IA	IA	IA
N.D. Ala.	IA	IA	IA	IA	IA	IA
S.D. Ala.	IA	IA	IA	IA	IA	IA
D. Alaska	IA	IA	The court endorses the Advisory Group's recommendation that the executive and legislative branches be called upon to seriously consider the impact of new legislation upon the judicial branch. The court will join with the Advisory Group or a subcommittee of the group to argue this concept before the		IA	The court endorses the Advisory Group's view that an additional district court judgeship is desirable.

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District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure	The Circuit or Other Courts	Other Recommendations
			congressional delegation and the Executive.			
D. Ariz.	IA	IA	IA	IA	IA	The court requests that efforts by the Judicial Conference and various study committees continue to find a resolution to the delay caused by the growing number of cases and petitions filed by pro se prisoner litigants.
E.D. Ark.	IA	IA	IA	IA General Order 42	IA	IA
W.D. Ark.	IA	IA	IA	The court addressed changes in federal rules by stating that the court would not adopt any changes until there was sufficient experience under the new rules. See General Order 25 (2/3/94), in which this district opted out of most provisions of the new rule changes.	IA	IA
C.D. Cal.	IA	IA	IA	IA	IA	IA
E.D. Cal.	IA	IA	Congress should consider the impact of proposed legislation on the federal courts' ability to administer civil justice. Additional resources should be appropriated to mitigate any adverse impact of new legislation.	IA	Active service district judges should be eligible for a third law clerk. Magistrate judges should be eligible for a second law clerk.	Political authorities should be aware of the adverse consequences of delay in appointing district judges. The Administrative Office should update caseweight criteria. Capital, habeas corpus, and civil rights cases are undervalued.

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N.D. Cal.	IA	IA	IA	IA	IA	IA
S.D. Cal.	IA	IA	IA	IA	IA	IA
D. Colo.	IA	IA	IA	IA	IA	IA
D. Conn.	IA	IA	IA	IA	IA	IA
D. Del.	IA	IA	The court encourages Congress to evaluate the impact of new legislation on the judicial branch and provide additional resources to impacted courts.	IA	IA	The court encourages Congress to specify whether regulatory legislation is intended to afford a private remedy.
D.D.C.	The court took no action on recommendations in the Advisory Group report, since these recommendations were directed to the Executive, the Congress, the Sentencing Commission, and the Administrative Office.	The court took no action on recommendations in the Advisory Group report, since these recommendations were directed to the Executive, the Congress, the Sentencing Commission, and the Administrative Office.	IA	IA	IA	IA
M.D. Fla.	IA	IA	The court endorses the Advisory Group's recommendation that Congress should refer all legislation having an impact upon the judicial system to the Congressional Budget Office for a fair and unbiased assessment of that impact.		The court endorses the Advisory Group's recommendation that the Judicial Council of the Eleventh Circuit establish a bankruptcy appellate panel.	The court endorses the Advisory Group's recommendation that Congress further limit diversity jurisdiction. The court also endorses these Advisory Group recommendations: 1. Congress should adopt the Judicial Nomination and Confirmation Report Act; 2. the Judicial Conference should revise the formula for calculating judgeship

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						needs, giving greater weight to criminal cases; 3. Congress should not federalize all crimes committed with a handgun that travels in interstate commerce and crimes of domestic violence; 4. bankruptcy appeals should go directly to the appropriate circuit court; and 5. Congress should create an Article I court to review appeals from denial of Social Security benefits.
N.D. Fla.	IA	IA	IA	IA	IA	IA
S.D. Fla.	IA	IA	IA	IA	IA	The district adopted the recommendations of the Advisory Group regarding more expeditious filling of judicial vacancies.
M.D. Ga.	IA	IA	IA	IA	IA	The plan contains several recommendations for local rule changes based on the Advisory Group report. These recommendations have been noted in other tables where appropriate.
N.D. Ga.	IA	IA	IA	The court recommends that Fed. R. Civ. P. 8 and 12 be revised to require that the defendant file an answer to the complaint at the time	IA	The court recommends that the jurisdictional amount for diversity cases be increased from the current level of \$50,000 to \$75,000.

District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure the defendant files a motion to dismiss the	The Circuit or Other Courts	Other Recommendations
S.D. Ga.	The court acknowledges the Advisory Group's recommendation that legislation be passed to create a "safety value" exception to mandatory minimum sentences.	IA	The court acknowledges the Advisory Group's recommendation that legislation be passed to provide for pre and post passage consideration of legislative impacts on the federal courts.	case. The court acknowledges the Advisory Group's opposition to the amendment to Fed. R. Civ. P. 11 that creates a 20-day "safe harbor" for frivolous filings.	IA	The court also acknowledged these Advisory Group recommendations: 1. the foremost mission of marshals should be court security; 2. the retention of diversity jurisdiction; 3. the creation of special diversity jurisdiction in multidistrict litigation; 4. limits on the number and timing of habeas corpus petitions; 5. the filing of Social Security appeals in a new Article I court; 6. limitations on state prisoner suits brought under 42 U.S.C. § 1983; 7. expansion of the powers of magistrate judges; 8. mandatory ADR for Title VII, EEOC, and other employee claims; 9. a fee-shifting statute for private civil litigation; and 10. legislation to empower district courts to review and approve attorney and expert fees in civil litigation.
D. Guam	IA	IA	IA	IA	IA	IA

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D. Haw.	IA	IA	IA	The court suggests a change in the federal rules such that a mandatory offer of settlement at a settlement conference will serve as a basis for a fee/cost award if the case proceeds to trial.	IA	The standing committee on local rules will consider a rule regarding an offer of settlement as the basis for fee/cost awards. The Advisory Group will evaluate existing arbitration programs and make recommendations to the court. The Advisory Group will study and make recommendations for a pilot study on the use of senior or retired litigators in settlement conferences.
D. Idaho	The court recommends that Congress abolish mandatory minimum sentences.	IA	The court recommends that Congress prepare judicial impact reports prior to the enactment of any legislation that substantially impacts upon the federal courts.	The court endorses proposed changes to Fed. R. Civ. P. 83 that would allow for greater experimentation with local rules and procedures and endorses legislative action that would reduce the service of process time under Fed. R. Civ. P. 4 from 120 days to 60 or 80 days.	IA	The court is opposed to proposed legislation that would create a federal jurisdiction for certain domestic violence cases. The court suggests that federal judge vacancies be filled as expeditiously as possible. The court opposes the elimination or revision of diversity jurisdiction. The court suggests that the criteria used to determine funding for a pro se law clerk be based on the percentage of pro se filings among all civil filings. The court suggests that the restrictive language in 28 U.S.C. § 651 that limits mandatory arbitration to the 10

District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure	The Circuit or Other Courts	Other Recommendations
						pilot districts be revised to allow for experimentation with other forms of ADR. The court also made a number of recommendations to the State of Idaho regarding the handling of prisoner cases.
C.D. III.	IA	IA	New legislation that creates or expands federal jurisdiction should specifically describe the cause of action created and the remedies contemplated. Congress should consider the impact on district courts of continuing federalization of the criminal law.	IA	IA	1. The Executive and the Congress should strive to fill all judicial vacancies expeditiously; 2. Congress should consider a broader mandate for the Legal Services Corporation and ways in which to provide legal services to a broader range of indigent litigants; 3. Congress should consider making the provisions of 42 U.S.C. § 1997(e) mandatory; and 4. Congress should ensure that the district courts are fully staffed and funded.
N.D. III.	IA	IA	The court recommends to the Judicial Conference that it urge the Congress to consider the likely impact of new legislation on the rate of filing civil and criminal cases in the district courts.	IA	IA	IA
S.D. Ill.	IA	IA	IA	IA	IA	IA

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District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure	The Circuit or Other Courts	Other Recommendations
N.D. Ind.	IA	IA	IA	IA	IA	IA
S.D. Ind.	IA	IA	IA		The Court of Appeals for the Seventh Circuit should not encourage or require unnecessarily lengthy or scholarly opinions from the district court. In ruling on any issue reviewable de novo on appeal, it is sufficient that the district court briefly state the reasons for its decision.	There is substantial support in the Advisory Group for the recommendation that Congress consider authorizing payment of prejudgment interest on civil judgments, to accrue from the date of filing of the complaint, in those cases for which no provision is made under state law. The court refers to the local rules committee the Advisory Group recommendations regarding the adoption of a local rule to facilitate discovery concerning the conduct of depositions, the timing of disclosure of expert witnesses, and procedures governing a claim of privilege and the possible adoption of a local rule to publicize the willingness of the magistrate judges to hear and resolve discovery disputes via telephone. The court recommends to the Administrative Office that the pro se law clerk be made a career position with advancing salary grade and that each district or magistrate

District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure	The Circuit or Other Courts	Other Recommendations
						judge have the ability to redefine job descriptions and pay scales as appropriate in order to capitalize on the strengths of their employees.
N.D. Iowa	IA	IA	IA	IA	IA	The Advisory Group report makes recommendations to the President, the Congress, and the American Bar Association; the court makes no comment on these recommendations.
S.D. Iowa	IA	IA	IA	IA	The court recommends that the local rules of the U.S. Court for the Northern District of Iowa reflect concerns about cost and delay in litigation.	IA
D. Kan.	IA	IA	IA	IA	IA	IA
E.D. Ky.	IA	IA	IA	IA	IA	IA
W.D. Ky.	IA	IA	IA	IA	IA	The court concurs fully with the following recommendations made by the Advisory Group: 1. Congress should authorize a full-time judgeship to replace the half-time position currently allocated to this district; 2. the Judicial Conference should approve the addition of 1 full-time

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						magistrate judge for this district; 3. the Judicial Conference should approve a career classification for pro se law clerks; and 4. Congress should appropriate funds necessary for appropriate clerk's office staffing levels.
E.D. La.	IA	IA	IA	IA	IA	IA
M.D. La.	IA	IA	IA	IA	IA	IA
W.D. La.	IA	IA Loc. R. 16E (5/89; Revised 4/92) Loc. R. 16W (5/89; Revised 4/92)	IA	IA	IA	IA
D. Me.	IA	IA	IA	IA	IA	IA
D. Md.	IA	IA	IA	IA	IA	IA
D. Mass.	IA	IA	IA	IA	IA	IA
E.D. Mich.	IA	IA	IA	IA	IA	The court supports the drafting of legislation and the appropriation of funds to compensate attorneys willing to represent pro se litigants in civil rights cases.
W.D. Mich.	The impact of mandatory minimum statutes and the sentencing guidelines should be reviewed by appropriate agencies to determine whether they hamper the adjudication and	The impact of mandatory minimum statutes and the sentencing guidelines should be reviewed by appropriate agencies to determine whether they hamper the adjudication and	IA	IA	IA	Legislation should be enacted to strengthen ADR processes by allowing fee shifting as a sanction. Legislation should be drafted and appropriations made to compensate

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	administration of justice.	administration of justice.				attorneys willing to represent pro se litigants in civil rights cases. A local rule should be adopted to permit assignment of a case to a more geographically convenient judge, if all parties and the court agree. To assist researchers to gather cost data, a statute or local rule should be adopted that provides for the confidentiality of cost information pursuant to the CJRA.
D. Minn.	IA	IA	IA	IA	IA	IA
N.D. Miss.	IA	IA	IA	IA	IA	IA
S.D. Miss.	IA	IA	IA	IA	IA	IA
E.D. Mo.	IA	IA	IA	IA	IA	IA
W.D. Mo.	IA	IA	IA	IA	IA	IA
D. Mont.	IA	IA	IA	IA	IA	IA
D. Neb.	IA	IA	IA	IA	IA	IA
D. Nev.	IA	IA	The court makes these recommendations. 1. The Congress and the Executive should review pending legislation for its impact on the judicial branch. 2. A formal, legal process should be adopted that requires an ongoing dialogue on judicial impacts of proposed legislation	IA	The court will ask the Ninth Circuit Judicial Council to provide prompt authorization of 2 additional district judgeships and 2 magistrate judgeships for the district.	The Senate should act on existing judicial vacancies.

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			among the executive, legislative, and judicial branches.			
D.N.H.	IA	IA	IA	IA	IA	The court encourages state officials to develop a procedure for in-house, nonbinding review of prisoner complaints before an independent board.
D.N.J.	IA	IA	IA	The court recommends to the Judicial Conference an amendment to Fed. R. Civ. P. 53(b) allowing greater use of masters in discovery matters.	IA	The court recommends that the Administrative Office develop a "median disposition time" statistic for individual categories of cases.
D.N.M.	The court recommends the repeal of mandatory minimum sentences.	The court recommends that the U.S. Sentencing Commission reconsider certain guidelines.	The Administrative Office should continue to prepare judicial impact statements. Congress should be requested to include language describing judicial impact in all new legislation. Congress should also certify that proper funding exists for the judiciary to meet its responsibilities under any new legislation.	IA	The circuit court should consider more realistic discretion when reviewing the district courts' certificates of nongood faith.	The Judicial Conference should notify the legislative and executive branches that delays in filling judicial vacancies have negative consequences for the courts. The Judicial Conference should propose to Congress that the federal courts receive adequate funding.
E.D.N.Y.	IA	IA	IA	IA	IA	IA
N.D.N.Y.	IA	IA	IA	IA	IA	The CJRA Plan calls for the filling of judicial vacancies, funding for the additional full-time magistrate judge approved by the

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						Judicial Conference, additional law clerks for magistrate judges, an additional pro se staff attorney, full staffing of the clerk's office, and additional courthouse facilities.
S.D.N.Y.	IA	IA	IA	IA	IA	IA
W.D.N.Y.	IA	IA	IA	IA	IA	IA
E.D.N.C.	IA	IA	IA	IA	IA	IA
M.D.N.C.	IA	IA	IA	IA	IA	IA
W.D.N.C.	IA	IA	IA	IA	IA	IA
D.N.D.	IA	IA	Congress should provide the federal courts with the resources to implement the CJRA. In addition, when Congress creates new rights and new causes of action, it should also increase court funding to handle these new cases.	IA	IA	The court strongly recommends that a second full-time magistrate judge be assigned to this district.
D. N. Mar. I.	IA	IA	IA	IA	IA	IA
N.D. Ohio	IA	IA	IA	IA	IA	IA
S.D. Ohio	IA	IA	IA	IA	IA	IA
E.D. Okla.	IA	IA	IA	IA	IA	IA
N.D. Okla.	IA	IA	IA	IA	IA	The court recommends the addition of another magistrate judge.
W.D. Okla.	IA	IA	IA	IA	IA	IA

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D. Or.	IA	IA	IA	IA	IA	IA
E.D. Pa.	IA	IA	IA	IA	IA	IA
M.D. Pa.	IA	IA	Congress should review legislation prior to enactment for its impact on individual districts.	IA	IA	IA
W.D. Pa.	IA	IA	IA	IA	IA	IA
D.P.R.	IA	IA	IA	IA	IA	IA
D.R.I.	IA	IA	IA	IA	IA	IA
D.S.C.	IA	IA	The judges of the district concur with the Advisory Group recommendation that the legislative and executive branches give increased consideration to the impact of new legislation on the judicial system and authorize increased funding to meet increased demand.	IA	IA	The court recommends a number of changes in local rules and/or requests that the district court advisory committee consider local rule changes.
D.S.D.	The court recommends reduction or elimination of mandatory minimum sentences.	The court recommends repeal or revision of the sentencing guidelines.	IA	The court recognized that the new rules will create difficult interpretive issues. The court did not optout of the new rules.	IA	Judicial vacancies should be promptly filled to avoid excessive reliance on senior judges.
E.D. Tenn.	IA	IA	IA	The court recommends the amendment of Fed. R. Evid. 702 to require that, in order to qualify as an expert witness, an individual must be able to substantially assist the	IA	The court recommends that Congress and the Executive fill the district's existing judicial vacancy at once. This vacancy is the principal cause of cost and delay

District	Mandatory Minimum Sentences	Sentencing Guidelines	Impact of New Legislation	Changes in the Federal Rules of Procedure	The Circuit or Other Courts	Other Recommendations
				trier of fact.		identified by the Advisory Group in its report. The court also recommends that the Tennessee Bar Association, the Tennessee Trial Lawyers Association, the Tennessee Association of Criminal Defense Lawyers, and local bar associations increase their focus on federal practice, procedure, and the federal courts by sponsoring continuing legal education programs and devoting articles in their publications to federal practice. The court encourages attorneys to join or consider forming bar associations with a focus on federal practice.
M.D. Tenn.	IA	IA	IA	IA	IA	IA
W.D. Tenn.	IA	IA	IA	IA	IA	IA
E.D. Tex.	IA	IA	IA	IA	IA	IA
N.D. Tex.	IA	IA	IA	IA	IA	IA
S.D. Tex.	IA	IA	IA	IA	IA	IA
W.D. Tex.	IA	IA	IA	The court will suggest appropriate amendments to Fed. R. Civ. P. 32 regarding its "unavailability requirement."	IA	

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D. Utah	IA	IA	The court is of the opinion that litigation efficiency can be best accomplished through rational means if Congress is willing to supply the judges and staff to meet the expanding needs of the American people.	IA	IA	IA
D. Vt.	IA	IA	IA	IA	IA	IA
D.V.I.	IA	IA	IA	IA	IA	IA
E.D. Va.	IA	IA	IA	IA	IA	IA
W.D. Va.	IA	IA	IA	IA	IA	IA
E.D. Wash.	The increased volume of criminal prosecutions, together with determinate and mandatory minimum sentences for federal crimes, continues to have a substantial effect on the court's handling of civil litigation.	IA	IA	IA	IA	IA
W.D. Wash.	IA	IA	IA	IA	IA	IA
N.D. W. Va.	IA	IA	IA	IA	IA	IA
S.D. W. Va.	IA	IA	IA	IA	IA	IA
E.D. Wis.	IA	IA	IA	IA	IA	IA
W.D. Wis.	IA	IA	IA	IA	IA	IA
D. Wyo.	IA	IA	IA	IA	IA	IA